

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WELLS FARGO BANK, N.A., *plaintiff*,

-against-

STARX MOTORS LLC, JEAN S. SMITH,
BENJAMIN SCHARGE, JACQUES A. HORN,
GENE T. OLIVER, MICHAEL A. CHAVEZ
and JACQUELINE CHAVEZ, *defendants*.

Case No. 1:20-cv-5455

Hon. Alvin K. Hellerstein, USDJ

Declaration of Defendant/Claimant Gene T. Oliver

I, Gene T. Oliver, declare under penalty of perjury, pursuant to 28 U.S.C. 1746, as follows:

1. I, Gene Oliver, found a 1972 Chevrolet Blazer on several classic car sites. When I reached out to contact seller, I was redirected to eAutoFlashTraders.com. I contacted eAuto Flash Traders to verify the Blazer was still available. I was contacted via email by an individual claiming to be Blake Meyers from their Sales Department.
2. I, Gene Oliver, requested a video of the Blazer running and a walk around. Blake stated in the chat that the Blazer was in their warehouse and would need to see who was available to get a video of the Blazer in operation.
3. I, Gene Oliver, moved forward with the purchase of the 1972 Blazer by completing the purchase form on eAuto Flash Trader's website to receive a Transaction ID number (2402546466).
4. A follow up email was received by orders@eautoflash.com on February 24, 2020 with account information and wire transfer instructions, **Exhibit A**.

EXHIBIT A




Gene O <87.gto.11@gmail.com>

eAutoFlash Traders - Payment Invoice - Transaction ID - 2402546466


1 message

eAutoFlash Traders <orders@eautoflash.com>
To: 87.gto.11@gmail.com

Mon, Feb 24, 2020 at 1:11 PM

**eAutoFlash Traders**
670014921 1190612

Customer	Transaction ID#	Invoice Number	Stock #	Invoice Date
Gene Oliver	>>> 2402546466	G1-2402546466	>>> HG537595	02/24/2020

[Chat with Us](#)

Transaction Details

Troyes	Gene Oliver
Item Title	1972 Chevrolet Blazer CST 1-5 4WD
Shipping Fees	US \$0.00
Total Amount	US \$8,900.00
Shipping To	Gene Oliver 6148 NW 50TH St, Kansas City, Missouri, 64153 United States

Once we receive the payment confirmation, the shipping process will start. Until then, the item remains available for sale.

How to make the payment?

Attention: We DO NOT accept cashier's check, or personal check. Cashiers checks can be easily faked and it can take weeks to figure that out.


To submit the payment, follow this steps:

The buyer must send the payment of (US \$8,900.00) to the eAutoFlash Traders Escrow bank account. It is recommended to send the payment as soon as possible. Sending the payment by any other method of payment will void this transaction and your right to refund.

Bank Account Information


Bank Name:	Wells Fargo
Bank Address:	255 2nd Ave S, Minneapolis, MN 55479 US
Escrow Account Holder:	Janis Auto Market LLC
Mailing Address:	410 Groveland Furnished, Minneapolis, MN 55403 US
Account #	6533326598
Routing #	121800218

e-Mail us a scanned copy or a clear digital picture of the transfer receipt.
The payment confirmation receipt is required by our Financial Department in order to validate the payment. Once the payment is completed, please attach the payment receipt and send it by:



Send your payment details by using OUR SECURE FORM. For security reasons we DO NOT allow customers to send the scanned receipts directly by email.

VERY IMPORTANT - PLEASE READ



Gene T. Oliver
913 NE 113th St.
Kansas City, MO 64155
(816)876-0637
81.gto.11@gmail.com
PRO SE

Attention:

Item Location:
eAutoFlash Traders Self Storage

5. I, Gene Oliver, arranged and completed a wire transfer from Community America Credit Union (CACU) to Janis Auto Market, LLC checking account with Wells Fargo on February 25, 2020 in the amount of \$8,900 and obtained a receipt from CACU, **Exhibit B**.

EXHIBIT B



Your wire request for \$8,900.00 will be debited from account 1249369-70.
In addition, a \$25.00 wire fee has been assessed.

WIRE DETAILS

Wire Sequence	Entered Date
62936	02/25/2020 01:44 PM Central Time
Business Code / Wire Type	Effective Date
CTR-Customer Transfer	02/25/2020
1000-Basic Funds Transfer	Receiving Financial Institution
Originator Information	121000248 WELLS FARGO NA
Originator	Beneficiary Information
GENE T OLIVER JR	Beneficiary
D 1248369-70	JANIS AUTO MARKET LLC
8145 NW 80TH ST	D 853526593
KANSAS CITY MO 641537814	419 GROVELAND FURNISHED
United States	MINNEAPOLIS MN 55403
	1972 CHEV BLAZER CSTKS 4WD
	United States
	Beneficiary Reference
	TRANS2402546466

SIGNATURE

DATE 02/25/2020

The above signed originator requests payment to be made to the beneficiary or account number named above. To the extent not prohibited by law, the undersigned agrees that this wire transfer is irrevocable and that the sole obligation of CommunityAmerica CU is to exercise ordinary care in processing this wire transfer and that it is not responsible for any losses or delays which occur as a result of any other party's involvement in processing this transfer.

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6. I received an email of the approved transaction on February 25, 2020 and that the shipping process had begun. I would be able to check the shipping progress through their website www.eautoflash.com on the Transaction Page.
7. I had not received a response from the delivery driver or anyone at eAuto Flash Traders pertaining to the delivery of the 1972 Blazer. I attempted contact them multiple times with the unfortunate realization that I had been scammed out of \$8,900.00.
8. I understand that Wells Fargo alleged in paragraph 23 that I had indeed made a recall request, on the ground of fraud, thus confirming that the request was made.
9. I notified my bank that Janis Auto Market account was a scam and hand wrote a letter requesting Mrs./Ms. Cooper at CACU to recall the funds from Wells Fargo on the grounds of fraud, **Exhibit C**.

EXHIBIT C

I Gene Oliver authorize Community America Credit Union (CACU) to try and reverse the wire transfer to Wells Fargo / Janis Auto Market LLC / eAutoFlashTraders.

I tried to purchase a 1972 Chevrolet K5 Blazer for \$8,900.00. A wire transfer was sent February 25, 2020. February 27, 2020 thru March 2, 2020, eAutoFlash has sent multiple emails stating they have not received payment. I called CACU multiple times during that period to assist. March 2, 2020 thru March 5, 2020, I have sent multiple emails checking on status of both the wire transfer and the Blazer with no response.

Wire Sequence = 62736

Business Code / Wire Type = CTR Customer Transfer 1000-Basic Funds Transfer

Transfer Entered 02-25-2020 18:44 Central Time

Transfer Sent 02-25-2020 15:04 Central Time

Receiving

Financial Institution Wells Fargo 255 2nd Ave S, Minneapolis, MN 5547

Account Number 6533326598

Routing Number 121000248

Account Holder Janis Auto Market LLC

410 Greenwood Furnished, Minneapolis, MN 55403

Wells Fargo Fraud Department 1-800-383-5717

Reference No. 3055648

Gene Oliver

03-05-2020

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10. Based upon the foregoing, I respectfully request that the court issue an order directing the clerk of the court to disburse to me from the interpleader fund my rightful share thereof

Dated: April 13, 2020

Respectfully

Gene T. Oliver

Gene T. Oliver

913 NW 113th St.

Kansas City, MO 64155

(816)-876-0637

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PRO SE